IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 4327 OF 2004

Raju Laduram Varma ..Applicant.

V/s.

The State of Maharashtra .. Respondent.

Shri Vilas B. Tapkir for Applicant.
Shri K.V. Saste, APP for Respondent.

CORAM : A.M.KHANWILKAR, J.
DATED : 18.10.2004

PC :-

. Heard the learned counsel for the parties. Perused the record.

. The Applicant has been arrested in connection with incident which occured on 31st May, 2004. The applicant was arrested on 5th June, 2004. The FIR in respect of the said incident was registered against unknown persons. Be that as it may. Investigation is now complete. Other two accused have already been released on bail for reasons other than the reasons for which I am inclined to enlarge the applicant on bail. The applicant is only 19 years of age. As the investigation is complete, no purpose would be served

by continuing the applicant in jail. The learned APP, however, contends that although the it is the case of circumstantial evidence, there are strong circumstances to rope in the present applicant as the recovery of the articles belonging to the deceased has been made from the applicant, the articles namely, motorcycle, chain, and wrist watch. Even so, as mentioned earlier, the applicant is only 19 years of age and other co-accused have already been enlarged on bail. The proper course in the interest of justice to my mind is to enlarge the applicant on bail on certain conditions as under :-

> The Applicant be released on bail in connection with C.R.No. 165/2004, registered with Haveli Police Station, Pune on executing personal bond in the sum of Rs. 25,000/- (Rs. Twentyfive thousand only) with one or two local sureties in the like amount.
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> The applicant shall not leave the jurisdiction of Haveli Police Station, Pune without prior intimation to the investigating officer.

The Applicants shall regularly report to the concerned investigating officer once in a fortnight on Saturday between 10 a.m. to 1 p.m.

The Applicant shall extend full co-operation for early disposal of the trial. If the trial court is of the opinion that the applicant is responsible for delay in trial that fact be recorded in the Rozanama, which can be a ground for cancellation of bail.

The applicant shall not influence the prosecution witness or tamper with the prosecution evidence in any manner whatsoever.

. Order accordingly.

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